

## Message Text

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ACTION AGR-08

INFO OCT-01 EA-07 ISO-00 EB-07 HEW-02 /025 W

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P 210730Z AUG 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 2674

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DEPT PASS AGRIC FOR HUME AND FITZSIMMONDS FROM LLOYD

E. O. 11652: N/A

TAGS: ETRD, EAGR, JA

SUBJ: CITRUS/FUNGICIDES

REFS: A) TOKYO 10577; B) FASTO 454 AND 459; C) TOFAS 555; D) TOFAS 55

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1. SUMMARY: GOJ APPEARS ANXIOUS TO MOVE FORWARD TOWARD APPROVAL OF OPP AND TBZ SINCE RECENT HIGH-LEVEL MEETINGS IN WASHINGTON, VIZ., PRES. FORD AND PM MIKI AND SEC. BUTZ AND MIN. ABE. MHW OVER PAST THREE WEEKS (APPARENTLY DID VIRTUALLY NO STUDYING ON MATTER PREVIOUSLY) HAS APPARENTLY BEEN DEVOTING CONSIDERABLE TIME TO MATTER BUT INSISTS THAT MORE DATA NECESSARY FROM U.S. SIDE BEFORE THEY CAN MAKE SUCCESSFUL APPROACH TO THE FOOD SANITATION INVESTIGATION COUNCIL (FSIC). AT REQUEST OF AGATT OFFICE, DOW AND MERCK REPS IN TOKYO ARE ATTEMPTING TO GATHER SOME OF DATA REQUESTED FOR SUBMISSION. ALSO ANXIOUSLY AWAITING RECEIPT OF PACKAGE DESCRIBED REF. B. APPARENTLY FSIC AS OF YEAR OR SO AGO IS AUTHORIZED TO REQUIRE DATA ON QUOTE HEREDITARY SAFETY OF FOOD ADDITIVES UNQTE. THIS MAY BE FUTURE OBSTACLE IF DOW AND MERCK HAVE NOT YET DONE RESEARCH ALONG THESE LINES. MHW WRITE-UP ON POSSIBLE METHODS OF DOING SUCH RESEARCH PASSED TO DOW AND MERCK REPS HERE AND FORWARDED TO FITZSIMMONDS.

2. ALTHOUGH CURRENT FUNGICIDE DIFFICULTIES BEGAN ON APRIL 4, MHW FOOD CHEMISTRY SECTION DID NOT BEGIN TO SERIOUSLY LOOK AT PROBLEM UNTIL JUST PRIOR TO RECENT HIGH LEVEL U.S.-JAPAN MEETINGS  
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HELD IN WASHINGTON, D.C. THIS DESPITE FACT THAT EMBASSY ISSUED AIDE MEMOIRE TO FONOFF ON APRIL 24 (SEE TOKYO 5476) AND AGATT OFFICE SUBMITTED LARGE VOLUME OF SCIENTIFIC DATA RE SAFETY AND EFFECTIVENESS OF OPP AND TBZ TO MHW FOOD CHEMISTRY SECTION ON

MAY 16 (SEE TOFAS 328) AND MADE AS MANY AS 20 CALLS ON MHW TO ENCOURAGE EARLIEST CONSIDERATION OF APPROVAL.

3. RECENT CHANGE IN ATTITUDE WAS APPARENTLY INITIATED BY FONOFF JUST PRIOR TO PM MIKI VISIT TO U.S. UNTIL THEN MHW HAD APPARENTLY DECIDED TO JUST WAIT AND WATCH. BUT WHEN CONFRONTED BY FONOFF WITH SUGGESTION THAT THIS ISSUE MIGHT COME UP DURING FORD-MIKI TALKS, THEY WERE OBLIGED TO GIVE REASON FOR NO ACTION AND SO SAID U.S. HAD NOT SUPPLIED SUFFICIENT DATA. THIS INFO DID NOT REACH AGATT REPS UNTIL JULY 31 (SEE REF. A.)

4. AS RESULT OF BUTZ-ABE TALKS, MIN. ABE, ACCORDING TO MAF SOURCES, MET WITH MHW'S MIN. TANAKA ON AUGUST 20 TO REQUEST TANAKA'S COOPERATION IN MOVING AHEAD ON APPROVAL OF CHEMICALS IN QUESTION. THIS SIGNIFIES A SHARP IMPROVEMENT IN MAF'S ATTITUDE AND LEAVES MHW WITH FULL RESPONSIBILITY ON THE MATTER. TANAKA REPORTEDLY SAID MHW WAS MOVING FORWARD AS SPEEDILY AS POSSIBLE BUT NEEDED MORE DATA FROM THE U.S. SIDE.

5. AGATT OFFICE AND DOW AND MERCK/TOKYO TRYING TO SUPPLY MHW WITH ALL AVAILABLE DATA AT WORKING LEVEL. HOWEVER, NEITHER DOW NOR MERCK SEEMS TO HAVE COMPETENT EXPERT ON THESE DATA IN JAPAN, SO U.S.-SIDE/TOKYO IS AT DISADVANTAGE IN THAT WE NOT ALWAYS SURE WE UNDERSTAND EXACTLY WHAT IS WANTED. RECEIPT OF DATA PACKAGE DESCRIBED REF. B. SHOULD BE MOST HELPFUL, ALTHOUGH WE EXPECT MHW'S DESIRE FOR DATA TO BE VIRTUALLY INSATIABLE AS THEY PREPARE TO GO BEFORE THE FSIC TO PLEAD THEIR CASE.

6. MHW AWARE OF TENTATIVE PLANS TO HAVE U.S. EXPERT(S) VISIT JAPAN AND SEEM TO BE MORE ANXIOUS TO RECEIVE SUCH HELP AS TIME PASSES.

7. DURING AUG. 15 MEETING WITH DR. MIYAZAWA, DIR., FOOD CHEMISTRY SECTION, AGATT REPS WERE TOLD FOR FIRST TIME OF POSSIBILITY THAT FSIC MAY REQUIRE DATA RE QTE HEREDITARY SAFETY UNQTE OF OPP AND TBZ. TESTS THAT MIGHT BE REQUIRED ALONG THIS LINE ARE NOT ACCEPTED AS VALID CRITERIA FOR DETERMINING SAFETY OF LIMITED OFFICIAL USE  
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A GIVEN FOOD ADDITIVE BY FDA ACCORDING TO MIYAZAWA, BUT FSIC CAN REQUIRE IT. DOW AND MERCK/TOKYO ARE WIRING HOME OFFICES TO SEE IF SUCH RESEARCH MIGHT HAVE ALREADY BEEN DONE. YOU MAY WISH TO CHECK ALSO.

8. FYI: ACCORDING TO AUG.21 TRADE PAPER,

A. DR. MIYAZAWA AND THREE MEMBERS OF DIET (TAMAOKI, FUJIO AND NAKAGAWA) VISIT TOKYO PORT FACILITIES ON AUG. 11 TO INSPECT ARRIVAL CONDITION OF FRUIT FIRST HAND.

B. MR. FUJII, CHAIRMAN, JAPAN CITRUS IMPORTER'S ASSN. (FORMERLY KNOWN AS JAPAN'S QTE LEMON KING UNQTE) VISITED WITH VICE PM FUKUDA ON AUG. 20 TO DISCUSS PROBLEM. FUKUDA REPORTEDLY

SAID HE HAD BEEN EATING U.S. LEMONS FOR 30 YEARS AND WOULD HAVE BEEN DEAD BY NOW IF FUNGICIDES USED WERE REALLY DANGEROUS.

C. FUJII ALSO MET WITH MIN. ABE OF MAF AND MR. HASHIMOTO, DG, TRADE POLICY BUREAU, MITI, RE PROBLEM AND WAS GIVEN ASSURANCE THAT PROBLEM WOULD BE DISCUSSED DURING CABINET MEETING SCHEDULED FOR AUG. 22 WITH PURPOSE OF REACHING EARLIEST POSSIBLE SOLUTION. THE TRADE PAPER SAID.

9. CONCLUSION: U.S.-SIDE HAS PUT FORTH EVERY EFFORT OVER PAST 3 OR 4 MONTHS TO SUPPLY MHW WITH DATA RELEVANT TO OPP AND TBZ TO TRY AND PREVENT THEIR USING LACK OF DATA AS EXCUSE TO MOVE AHEAD. MHW ASSURED AGATT REPS. MANY TIMES THAT THEY HAD NO PROBLEM WITH THE SAFETY OF THE CHEMICALS BUT HAD TO SHOW A QTE NEED UNQTE. NOW, WITH NO MAF OPPOSITION, MHW IS RATHER SUDDENLY FACED WITH THE PROSPECT THAT THEY MAY HAVE TO GO BEFORE FSIC VERY SOON AND THEY HAVE NOT BEEN DOING THEIR HOMEWORK FOR THE PAST 2 OR 3 MONTHS. THEY SEEM FRIGHTENED AND WOULD PROBABLY LIKE TO STALL AS LONG AS POSSIBLE. AGATT OFFICE FEELS THERE IS CONSIDERABLE MERIT IN APPROACH OUTLINED IN REF B.  
HODGSON

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